

of the minimum daily requirements: Vitamin B₁, 100%; Riboflavin, 30%; Iron, 65%; * * * and 8 mg. of Niacin." The remaining shipment was labeled substantially the same.

NATURE OF CHARGE: Adulteration, Section 402 (b) (1), valuable constituents of the article had been in part omitted and abstracted.

DISPOSITION: January 24, 1947. A plea of nolo contendere having been entered on behalf of the defendant, the court imposed a fine of \$200 on each count, a total fine of \$400 and costs.

11145. Adulteration and misbranding of enriched flour. U. S. v. Dixie-Portland Flour Co. (The Arkansas City Flour Mills Co.). Plea of nolo contendere. Fine, \$600. (F. D. C. No. 20181. Sample Nos. 23238-H, 23239-H, 23331-H.)

INFORMATION FILED: October 4, 1946, District of Kansas, against the Dixie-Portland Flour Co., trading as the Arkansas City Flour Mills Co., Arkansas City, Kans.

ALLEGED SHIPMENT: On or about July 25 and August 4, 1945, from the State of Kansas into the State of Arkansas.

LABEL, IN PART: (Portion) "Milled For and Baking Quality Guaranteed By Majestic Flour Mill Aurora, Mo. Enriched With Vitamins and Iron * * * Prince"; (remainder invoiced, in part) "Gingham Girl [or "Style Prints"] Phos Enr."

NATURE OF CHARGE: Adulteration, Section 402 (b) (1), valuable constituents, vitamin B₁ and, in one lot, vitamin B₁ and iron, had been in part omitted or abstracted from the article.

Misbranding, Section 403 (g) (1), the article failed to conform to the definition and standard of identity for enriched flour. All three lots contained less than 2 milligrams of vitamin B₁ per pound and one lot contained less than 13 milligrams of iron per pound, the minimum amounts of vitamin B₁ and iron prescribed by the regulations.

DISPOSITION: January 17, 1947. A plea of nolo contendere having been entered on behalf of the defendants, the court imposed a fine of \$100 on each of the 6 counts, a total fine of \$600.

11146. Misbranding of flour. U. S. v. Fraser Milling Company. (F. D. C. No. 20198. Sample No. 26333-H.)

INFORMATION FILED: May 10, 1947, Northern District of Texas, against the Fraser Milling Co., a corporation, Hereford, Tex.

ALLEGED SHIPMENT: On or about November 17, 1945, from the State of Texas into the State of New Mexico.

LABEL, IN PART: "Fraser's Sunny-Boy Extra High Quality Flour."

NATURE OF CHARGE: Misbranding, Section 403 (a), certain statements and the design of wheat roots and a man displayed on the label of the article were false and misleading since the statements and design represented and suggested that the article would be efficacious in the prevention of tooth decay and that it contained five to seven times more calcium and phosphorus than average standard flours, whereas the article would not prevent tooth decay and it contained no more calcium and phosphorus than are found in average standard flours.

DISPOSITION: June 4, 1947. A plea of nolo contendere having been entered, the court imposed a fine of \$25.

MACARONI AND NOODLE PRODUCTS

11147. Adulteration of macaroni and noodle products. U. S. v. Joseph Coffaro (J. Coffaro and Sons). Plea of nolo contendere. Fine, \$600 and costs. (F. D. C. No. 19030. Sample Nos. 14799-H, 14800-H, 16125-H.)

INFORMATION FILED: February 28, 1946, Northern District of Illinois, against Joseph Coffaro, trading as J. Coffaro & Sons, Chicago, Ill.

ALLEGED SHIPMENT: July 24 and August 9, 1945, from the State of Illinois into the State of Michigan.

LABEL, IN PART: "Elbow Macaroni [or "Elbow Spaghetti"] Packed for Peninsular Milling Co., Flint, Mich.," or "Egg Noodles Broad Packed for Thrift Sales Co., Grand Rapids, Mich."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the articles consisted in whole or in part of filthy substances by reason of the presence of rodent excreta,

insect fragments, rodent hairs, and fragments resembling rodent hairs; and, Section 402 (a) (4), they had been prepared under insanitary conditions whereby they may have become contaminated with filth.

DISPOSITION: April 14, 1947. A plea of nolo contendere having been entered by the defendant, the court imposed a fine of \$600 and costs.

11148. Adulteration and misbranding of noodle products. U. S. v. Atlantic Macaroni Co., Inc., Frank A. Zunino, and Alex Q. Erminio. Pleas of guilty entered on behalf of the corporation on all counts of the information; pleas of guilty by the individual defendants on counts 1 and 2. Fines of \$800 against the corporation, \$1,600 against Frank A. Zunino, and \$800 against Alex Q. Erminio. (F. D. C. No. 20211. Sample Nos. 7127-H to 7130-H, incl.)

INFORMATION FILED: March 17, 1947, Eastern District of New York, against the Atlantic Macaroni Co., Inc., Long Island City, N. Y., and Frank A. Zunino and Alex Q. Erminio, president and secretary, respectively, of the corporation.

ALLEGED SHIPMENT: On or about June 29, 1945, from the State of New York into the State of New Jersey.

LABEL, IN PART: "Caruso Brand Pure Egg Products."

NATURE OF CHARGE: Adulteration, Section 402 (b) (1), a valuable constituent, egg, had been in part omitted; and, Section 402 (b) (4), artificial color had been added to the article and mixed and packed with it so as to make it appear to be a noodle product which is better and of greater value than the article.

Misbranding Section 403 (a), the label statement "No Artificial Coloring" was false and misleading since the article contained artificial coloring; and, Section 403 (g) (1), the article purported to be and was represented as a noodle product and failed to conform to the definition and standard of identity for noodle products since the total solids of the article contained less than 5.5 percent by weight of the solids of egg or egg yolk and, further, since the article contained artificial coloring, which is not an optional ingredient of the article under the definition and standard.

DISPOSITION: May 8, 1947. Pleas of guilty having been entered on behalf of the corporation on all counts of the information and by the individual defendants on counts 1 and 2, the court imposed a fine of \$100 on each of the 8 counts against the corporation; a fine of \$800 on each of counts 1 and 2 against Frank Zunino; and a fine of \$400 on each of counts 1 and 2 against Alex Erminio. Counts 3 through 8 against each individual defendant were dismissed.

11149. Adulteration of macaroni products. U. S. v. 15 Cases * * *. (F. D. C. No. 16204. Sample Nos. 27256-H to 27258-H, incl.)

LIBEL FILED: May 22, 1945, District of Idaho.

ALLEGED SHIPMENT: On or about April 24, 1945, by the U. S. Macaroni Mfg. Co., from Spokane, Wash.

PRODUCT: 15 cases of macaroni products at Lewiston, Idaho. 15 cases of noodles which were included in the libel were not seized.

LABEL, IN PART: "U. S. Taystie Cut Spaghetti [or "Cut Macaroni"]."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the articles consisted in whole or in part of filthy substances by reason of the presence of rodent hair fragments; and, Section 402 (a) (4), they had been prepared under insanitary conditions whereby they may have become contaminated with filth.

DISPOSITION: November 16, 1945. Default decree of forfeiture. Products ordered disposed of as animal feed.

11150. Adulteration and misbranding of chow mein noodles and misbranding of Chinese Brown Sauce and Tea Rice Cakes. U. S. v. 4 Cases of Chinese Brown Sauce, 4 Cases of Chow Mein Noodles (and 2 other seizure actions against Chinese Brown Sauce and Tea Rice Cakes). (F. D. C. Nos. 19412, 19413. Sample Nos. 25662-H, 25663-H, 25666-H, 47463-H, 47465-H.)

LIBELS FILED: March 18, 1946, District of Utah.

ALLEGED SHIPMENT: On or about December 20 and 26, 1945, by the Oriental Food Products Co., from Los Angeles, Calif.

PRODUCT: 12 cases, each containing 24 jars, of Chinese Brown Sauce, 4 cases, each containing 24 jars, of chow mein noodles, and 26 cases, each containing 48 bags, of Tea Rice Cakes at Ogden, Utah; and 6 cases, each containing 48 bags, of Tea Rice Cakes at Salt Lake City, Utah.